UNITED STATES DISTRICT COURT FOR	THE NORTHERN DISTRICT OF CALIFORNIA
	CR-06-06425 RMW
UNITED STATES OF AMERICA, Plaintiff,	Case Number <u>C1-06-00197</u> RmW
v.— ×	ORDER OF DETENTION PENDING TRIAL
Defendant.	
In accordance with the Bail Reform Act, 18 U	J.S.C. § 3142(f), a detention hearing was held on, 200
Detendant was present, represented by his attorney	Jack Yorden The United States was represented by
Assistant U.S. Attorney 7. O'Connell	* * * * * * * * * * * * * * * * * * *
PART I. PRESUMPTIONS APPLICABLE	
/ / The defendant is charged with an offense	described in 18 U.S.C. § 3142(f)(1) and the defendant has been
convicted of a bilot offense described in 18 0.S.C. 8 3	142(f)(1) While on release pending to 1 for a following state of 1
offense, and a period of not more than five (5) years ha	is elapsed since the date of conviction or the release of the person from
imprisonment, whichever is later.	- suspect since the date of conviction of the release of the person fro
	no condition or combination of conditions will reasonably assure the
safety of any other person and the community.	no condition of combination of conditions will reasonably assure the
/ / There is probable cause based upon (the in	distance (Ala Cara Cara III Barana
defendant has committed an offense	adictment) (the facts found in Part IV below) to believe that the
seq., § 951 et seq., or § 955a et seq., Ol	prisonment of 10 years or more is prescribed in 21 U.S.C. § 801 et
B. under 18 U.S.C. 8 924(c): use of a	K
This establishes a sabutable asset of a	a firearm during the commission of a felony.
appearance of the defendant or remind and the	no condition or combination of conditions will reasonably assure the
appearance of the defendant as required and the safety o	of the community.
No presumption applies.	
PART II. REBUTTAL OF PRESUMPTIONS, IF APPLICABL	<b>.E</b>
I the defendant has not come forward with a	uny evidence to rebut the applicable presumption[s], and he therefore
will be ordered detailled.	$\cdot$
/ / The defendant has come forward with evide	ence to rebut the applicable presumption[s] to wit:
Thus, the burden of proof shifts back to the Unite	red States.
PART III. PROOF (WHERE PRESUMPTIONS REBUTTED C	OR INAPPLICABLE)
The United States has proved to a preponder	rance of the evidence that no condition or combination of conditions
and reasonably assure the appearance of the defendant as	s required. AND/OR
/ / The United States has proved by clear and co	onvincing evidence that no condition or combination of conditions
will reasonably assure the safety of any other person and i	the community
PART IV. WRITTEN FINDINGS OF FACT AND STATEMEN	T OF REASONS FOR DETENTION
The Court has taken into account the factors	set out in 18 II S C & 3143(a) and all sectories and a sectories
at hearing and finds as follows: The defindery	To Character to the series of the information submitted
# 18 45C & 92X(4\(1) Libra Dece	The state of the s
\$ 1951(a) robben asking aloke	ssion ya fixer and amorum ting and 184
Conjusting for bestone toler is a	
Convictions to burden done King	ashesseen up & frequent and misdemeenon
anest. He has two die in the com	realist bookery and abotrust and residen
	WAS INDIVIDUO , V
// Defendant, his attorney, and the AUSA have w	Privad written for disco
PART V. DIRECTIONS REGARDING DETENTION	warver writter intrings.
The defendant is committed to the custody of the Au-	may Connell authir desire as t
ections facility separate to the extent amortionals	omey General or his designated representative for confinement in a
real. The defendant shall be affected a record at	sons awaiting or serving sentences or being held in custody pending

the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

Dated: 6/907

AUSA \_\_\_\_, ATTY \_\_\_\_, PTS \_\_\_\_\_\_

PATRICIA V. TRUMBULL

United States Magistrate Judge

appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on the request of an attorney for the Government, the person in charge of the corrections facility shall deliver